

Docket No. J&J-2022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nikiforos Kollias, Ying Sun, Anthony F. Coston

Serial No. : 09/845,956

Art Unit:

Filed : April 30, 2001

Examiner:

For : TISSUE ABLATION BY SHEAR FORCE FOR SAMPLING
BIOLOGICAL FLUIDS AND DELIVERING ACTIVE AGENTS

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner For Patents, Washington, D.C. 20231 on

July 25, 2001

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)

(Signature)

July 25, 2001

(Date of Signature)

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached);
or

☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached);
or

☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: US 6,132,755 is enclosed which is the US equivalent of DE 195 25 607 cited in PCT search

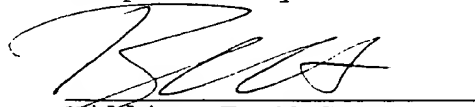
report of international application PCT/US99/19713 dated 12/6/99. An abstract of WO 96/17648 is enclosed.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☒ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/J&J-2022/WEM. This form is submitted in triplicate.

Respectfully submitted,



William E. McGowan
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DATED: July 25, 2001

Substitute for form 1449/APTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

Application Number	09/845,956
Filing Date	April 30, 2001
First Named Inventor	Kolias et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J-2022

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3,315,665		MacLeod	4/25/67	
		3,950,158		Gossett	4/13/76	
		3,964,482		Gerstel et al.	6/22/76	
		4,230,105		Harwood	10/28/80	
		4,406,658		Lattin et al.	9/27/83	
		4,655,766		Theeuwes et al.	4/7/87	
		4,685,911		Konno et al.	8/11/87	
		4,767,402		Kost et al.	8/30/88	
		4,790,824		Morrow et al.	12/13/88	
		4,963,360		Argaud	10/16/90	
		5,013,293		Sibalis	5/7/91	
		5,036,861		Sembrowich et al.	8/6/91	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		PCT	86/07269	A1	Drug Delivery Systems	12/18/86		
		PCT	92/07618	A1	Alza Corporation	5/14/92		
		PCT	93/17754	A1	Elan Medical Technologies	9/16/93		
		PCT	94/23777	A1	Elan Medical Technologies	10/27/94		
		PCT	95/30410	A3	Svedman	11/16/95		
		PCT	96/00110	A1	Cygnus Therapeutic Systems	1/4/96		
		PCT	96/17648	A1	Ciba-Geigy AG	6/13/96		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 5

Application Number	09/845,956
Filing Date	April 30, 2001
First Named Inventor	Kolias et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J-2022

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
		5,042,975		Chien et al.	8/27/91	
		5,127,163		Locke	7/7/1992	
		5,135,478		Sibalis	8/4/92	
		5,156,591		Gross et al.	10/20/92	
		5,213,568		Lattin et al.	5/25/93	
		5,224,927		Tapper	7/6/93	
		5,250,023		Lee et al.	10/5/93	
		5,279,543		Glikfeld et al.	1/18/94	
		5,279,544		Gross et al.	1/18/94	
		5,320,607		Ishibashi	6/14/94	
		5,362,307		Guy et al.	11/8/94	
		5,386,837		Sterzer	2/7/95	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		PCT	96/37256	A1	Silicon Microdevices Inc.	11/28/1996		
		PCT	97/04832	A1	Massachusetts Institute of Technology	2/13/1997		
		PCT	97/48440	A1	Alza Corporation	12/24/97		
		PCT	97/48441	A1	Alza Corporation	12/24/97		
		PCT	97/48442	A1	Alza Corporation	12/24/97		
		PCT	97/12644	A1	Becton Dickinson & Co.	4/10/97		
		PCT	98/28037	A1	Alza Corporation	3/26/98		

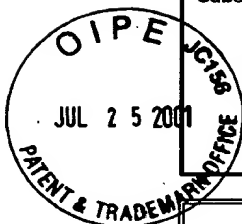
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Sheet 3 of 5

Application Number	09/845,956
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		Number	Kind Code ² (if known)			
		5,399,163		Peterson et al.	3/21/95	
		5,438,984		Schoendorfer	8/8/95	
		5,441,490		Svedman	8/15/95	
		5,527,288		Gross et al.	6/18/96	
		5,533,971		Phipps	7/9/96	
		5,540,669		Sage Jr. et al.	7/30/96	
		5,582,586		Tachibana et al.	12/10/96	
		5,591,124		Phipps	1/7/97	
		5,614,502		Flotte et al.	3/25/97	
		5,636,632		Bommannan et al.	6/10/97	
		5,658,583		Zhang et al.	8/19/97	
		5,658,892		Flotte et al.	8/19/97	

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		Office ³	Number ⁴	Kind Code ⁵				
		PCT	98/11937	A1	Deka Products Limited	12/24/97		
		PCT	98/28038	A1	Alza Corporation	7/2/98		
		PCT	98/29134	A2	Altea Technologies Inc.	7/9/1998		
		PCT	98/46124	A1	Alza Corporation	10/22/98		
		UK	2 303 208	A	Akio Usui	2/12/97		
		DE	195 25 607	A1	Boehringer Ingeheim	7/14/95		
		EPO	0 429 842	A2	Korea Research Institute	10/20/90		

Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE
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Sheet 4 of 5

Application Number	09/845,956
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		Number	Kind Code ² (if known)			
		5,662,624		Sundstrom et al.	9/2/97	
		5,667,491		Pliquett et al.	9/16/97	
		5,718,955		McGuire et al.	2/17/98	
		5,853,383		Murdock	12/29/98	
		5,857,992		Haak et al.	1/12/99	
		5,885,211		Eppstein et al.	3/23/99	
		6,050,988		Zuck	4/18/00	
		6,083,196		Trautman et al.	7/4/00	
		6,104,952		Tu et al.	8/15/00	
		6,132,755		Eicher et al.	10/17/00	

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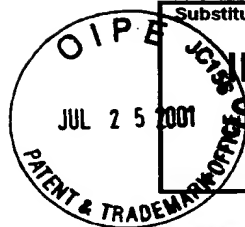
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 5

Application Number	09/845,956
Filing Date	April 30, 2001
First Named Inventor	Kolias et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J-2022



OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

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SUBMISSION UNDER MPEP 609 D

Page 1 of 1

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Attorney Docket Number	J&J-2022

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code ² (if known)	
		Johnson & Johnson Consumer Companies, Inc.	pending USSN 09/385,284 J&J-1838		
		Johnson & Johnson Consumer Companies, Inc.	pending USSN 09/644,093 J&J-1942		
		Johnson & Johnson Consumer Companies, Inc.	pending USSN 09/611,865 J&J-1931		
		Johnson & Johnson Consumer Companies, Inc.	pending USSN 09/612,357 J&J-1930		
		Johnson & Johnson Consumer Companies, Inc.	pending USSN 09/795,908 J&J-2003		
		Johnson & Johnson Consumer Companies, Inc.	pending USSN 09/548,771 J&J-1906		
		Johnson & Johnson Consumer Companies, Inc.	Pending USSN 09/549,147 J&J-1907		

FOREIGN PATENT DOCUMENTS

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			Office ³	Number ⁴	KindCode ⁵		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner 's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²

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